

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LAUREN L WHITE
Claimant

APPEAL 21A-UI-04883-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/19/20
Claimant: Appellant (2)

Iowa Code § 96.3(7) – Overpayment of Benefits

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the February 2, 2021 (reference 04) unemployment insurance decision that found claimant was overpaid regular unemployment benefits funded by the State of Iowa in the amount of \$758.00 for the eight-week period between April 19, 2020 and June 20, 2020. The claimant was properly notified of the hearing. A telephone hearing was held on April 15, 2021. The claimant participated personally. The administrative law judge took administrative notice of the claimant's unemployment insurance benefits records. This hearing was consolidated with Appeal No. 21A-UI-04882-DB-T.

ISSUE:

Is the claimant overpaid regular unemployment insurance benefits funded by the State of Iowa?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant filed an original claim for unemployment insurance benefits effective April 19, 2020. An unemployment insurance decision was issued on July 21, 2020 (reference 01) that found she was not eligible for benefits. That decision was reversed in Appeal No. 21A-UI-04882-DB-T. The overpayment issue in this case was created by a disqualification decision that has been reversed on appeal.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes as follows:

Iowa Code § 96.3(7)a provides:

7. Recovery of overpayment of benefits.

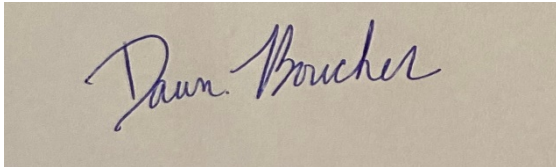
a. If an individual receives benefits for which the individual is subsequently determined to be ineligible, even though the individual acts in good faith and is not otherwise at fault, the benefits shall be recovered. The department in its discretion may recover the

overpayment of benefits either by having a sum equal to the overpayment deducted from any future benefits payable to the individual or by having the individual pay to the department a sum equal to the overpayment.

The administrative law judge concludes that the claimant has not been overpaid unemployment insurance benefits funded by the State of Iowa in the amount of \$758.00 for the eight-week period between April 19, 2020 and June 20, 2020 pursuant to Iowa Code § 96.3(7) as the disqualification decision that created the overpayment has been reversed. See Appeal No. 21A-UI-04882-DB-T.

DECISION:

The February 2, 2021 (reference 04) unemployment insurance decision is reversed. The claimant has not been overpaid unemployment insurance benefits funded by the State of Iowa in the amount of \$758.00 for the eight-week period between April 19, 2020 and June 20, 2020 pursuant to Iowa Code § 96.3(7) as the disqualification decision that created the overpayment has been reversed.



Dawn Boucher
Administrative Law Judge

April 20, 2021
Decision Dated and Mailed

db/kmj